

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

DENIED and SO ORDERED.
ENTER: 1/3/2019


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

Honorable Joseph R. Goodwin

MDL No. 2327

**UNOPPOSED MOTION TO ESTABLISH QUALIFIED SETTLEMENT FUND AND
APPOINT ADMINISTRATOR**

McEwen Law Firm, Ltd. (“**McEwen**”), as counsel for certain Plaintiffs in this MDL 2327, moves and requests the Court to enter an Order to: (1) establish the McEwen Attorney Fees TVM Qualified Settlement Fund (“**QSF**”) as a qualified settlement fund pursuant to Internal Revenue Code § 468B and Treasury Regulations § 1.468B-1 *et seq.* for the purpose of facilitating the resolution of a dispute concerning allocation of attorney fees from the settlement of certain tort claims against each of: (a) Astora Women’s Health, LLC (as successor in interest to American Medical Systems, Inc.’s women’s health business, Astora Holdings, LLC, Astora Women’s Health Holdings, LLC, and Astora Women’s Health Holdings, Inc.) (collectively, “*Astora*”); (b) Boston Scientific Corporation; (c) Coloplast Corp. (“*Coloplast*”); (d) Defendant Covidien and certain related companies (“*Covidien*”); (e) C. R. Bard, Inc.; and (f) Ethicon Inc., Johnson & Johnson, Ethicon LLC, their affiliates and insurers (collectively, “*Ethicon*”) (hereinafter referred to collectively, as the “**TVM Defendants**”), and (2) appoint an administrator for the QSF. None of the TVM Defendants object.

A memorandum in support of this motion is set forth below.

Respectfully submitted,

/s/Gregory N. McEwen

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 19, 2018, a copy of the foregoing **UNOPPOSED MOTION TO ESTABLISH QUALIFIED SETTLEMENT FUND AND APPOINT ADMINISTRATOR** was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Gregory Neil McEwen

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